



NOTICE OF THE REGULAR MEETING OF THE
EAGAR CEMETERY COMMITTEE
April 2, 2018 AT 8:00 a.m.
EAGAR TOWN HALL
22 W. 2ND Street, Eagar, Arizona

PURSUANT TO A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE TOWN COUNCIL OF THE TOWN OF EAGAR AND THE GENERAL PUBLIC THAT THE EAGAR CEMETERY COMMITTEE WILL HOLD A **REGULAR MEETING OPEN TO THE PUBLIC ON MONDAY, APRIL 2, 2018, BEGINNING AT 8:00 A.M.**, AT THE EAGAR TOWN HALL LOCATED AT 22 W. 2ND STREET, EAGAR, ARIZONA.

AGENDA

1. **WELCOME**
2. **ROLL CALL**
3. **OPEN CALL TO THE PUBLIC**
4. **CONSENT AGENDA**
 - A. CONSIDERATION OF CEMETERY COMMITTEE BOARD MINUTES OF NOVEMBER 6, 2017 (BECKY CROSBY)
5. **NEW BUSINESS**
 - A. DISCUSSION AND CONSIDERATION OF CHANGES TO THE CEMETERY CODE (BECKY CROSBY)
 - B. DISCUSSION AND CONSIDERATION FOR A DATE AND TIME FOR THE CEMETERY CLEAN UP DAY AND PLANTING FLOWERS IN THE CEMETERY (BECKY CROSBY)
 - C. DISCUSSION ON WATERING ROTATION OF THE FLOWER BARRELS/PLANTERS AND TREES IN THE CEMETERY (BECKY CROSBY)
 - D. DISCUSSION OF THE NEED FOR ADDITIONAL BENCHES, SPIGOTS, HOSES, AND FLOWER PLANTERS (BECKY CROSBY)
 - E. DISCUSSION AND REVIEW OF THE CEMETERY BUDGET FOR FISCAL YEAR 2017/2018 (BECKY CROSBY)
 - F. DISCUSSION AND CONSIDERATION OF A CEMETERY BUDGET FOR FISCAL YEAR 2018/2019 (BECKY CROSBY)
6. **OLD BUSINESS**
 - B. DISCUSSION OF OTHER CEMETERY BUSINESS (CEMETERY COMMITTEE)
7. **NEXT MEETING**
8. **ADJOURNMENT**

THE PUBLIC IS WELCOME TO PLACE ITEMS ON THE EAGAR CEMETERY COMMITTEE AGENDAS WITH THE APPROVAL OF THE CHAIRMAN BECKY CROSBY. ALL REQUESTS ARE DUE INTO THE TOWN CLERK'S OFFICE A WEEK PRIOR THE NEXT MEETING.

IF ANYONE WISHING TO ATTEND THIS MEETING HAS SPECIAL NEEDS DUE TO A DISABILITY, PLEASE CONTACT THE TOWN CLERK AT 928-333-4128 TWENTY-FOUR HOURS PRIOR TO THE MEETING AND ACCOMMODATIONS WILL BE PROVIDED. ALSO, ANYONE NEEDING INFORMATION ON THE CURRENT MEETING PLEASE CONTACT THE TOWN CLERK AT 928-333-4128.

**MINUTES
REGULAR MEETING
EAGAR CEMETERY COMMITTEE
Eagar Town Hall
November 6, 2017 – 8:00 a.m.**

Cemetery Committee Chairperson Becky Crosby welcomed those present and called the meeting to order at 8:04 a.m. Roll call is as follows:

PRESENT: Becky Crosby, Chairperson
 Councilor Debra Seeley
 Bruce Ray, Public Works Director/Interim Town Manager
 Bryce Burnham
 Chris Heap
 Linda Eagar

STAFF: Marion Wiltbank, Assistant Town Clerk

ITEM #3: OPEN CALL TO THE PUBLIC

No public in attendance.

ITEM # 4: CONSENT AGENDA

A. CONSIDERATION AND APPROVAL OF CEMETERY COMMITTEE BOARD MINUTES OF APRIL 13, 2017

Councilor Debra Seeley moved to accept the Cemetery Committee Board minutes of April 13, 2017. Public Works Director/Interim Town Manager Bruce Ray seconded; all were in favor and the motion carried. 6-0

ITEM #5: NEW BUSINESS

Bryce Burnham excused himself from the Cemetery Committee because of conflict of interest.

A. CONSIDERATION AND DISCUSSION OF USING THE POTTERS FIELD FOR THE FIFTEEN UNCLAIMED CREMAINS STORED AT BURNHAM MORTUARY

After much discussion in which Bryce Burnham said the bodies were cremated and paid for by the Apache County and only one or two were from the Town of Eagar and the rest were from Springerville and elsewhere in the County. Also Apache County usually buried indigents in the Nutrioso Cemetery and they opened and closed the graves for free. The Eagar Town Municipal Code Title 13. Chapter 13.60.070.E. through J. was read. Bruce Ray stated that Bryce Burnham of Burnham Mortuary needed to talk to Apache County and then if the county doesn't have space or you can't work it out with them then come back to the Town of Eagar.

Linda Eagar moved that Apache County is responsible for the cremains and Bryce Burnham needs to work out a procedure with the County for the disposal of the cremains and the record kept by

Apache County or Burnham where the cremains are buried and their names if known. Councilor Debra Seeley seconded; all were in favor and the motion carried. 5-0

ITEM #6: OLD BUSINESS

Bryce Burnham rejoined the Cemetery Committee as a member.

A. DISCUSSION OF OTHER CEMETERY BUSINESS

Councilor Debra Seeley and the Cemetery Committee wanted to go over the Cemetery Code again at the next meeting and have the agenda packet delivered with the complete Cemetery Code two weeks prior to the meeting, so they will have time to go over the code individually.

ITEM #7: NEXT MEETING

Becky Crosby said the next meeting will be in February.

ITEM #8: ADJOURNMENT

Bruce Ray moved to adjourn the meeting 8:53 a.m. Bryce Burnham seconded; all were in favor and the motion carried. 6-0

Chair Becky Crosby

Chapter 13.60 - CEMETERY⁽¹⁾

Sections:

Footnotes:

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Editor's note— Ord. No. 2016-06, adopted Nov. 1, 2016, amended Ch. 13.60 in its entirety to read as set out herein. Former Ch. 13.60, §§ 13.60.010—13.60.110, pertained to similar subject matter and derived from Ord. No. 2011-01, Exh. A, adopted March 15, 2011; Ord. No. 2012-02, Exh. A, adopted March 6, 2012; Ord. No. 2012-08, Exh. A, adopted Aug. 21, 2012; Ord. No. 2016-02, Exh. A, adopted April 5, 2016.

13.60.010 - Purpose.

The purpose of this chapter is to provide for the town of Eagar Cemetery, and to provide rules and regulations for the use, operation, maintenance and care of the cemetery. These rules shall apply to any cemetery owned and operated by the town of Eagar (town). For the mutual protection of plot owners and the cemetery as a whole, the following rules and regulations are hereby established for the Eagar Cemetery (cemetery). All plot owners and persons visiting the cemetery will be expected to abide by such rules and regulations as herein enacted and as hereafter amended, which are intended to assist in maintaining this cemetery as a peaceful and beautiful area as well as a reverent symbol of respect for the dead.

All burial plot owners, visitors, town employees, persons working directly or indirectly for burial plot owners and all burial plots sold shall be subject to these rules and regulations, and subject further, to such other ordinances, rules and regulations, amendments or alterations as shall be adopted by the town from time to time. The reference to these rules and regulations in the reservation agreement to burial plots shall have the same force and effect as if set forth in full therein.

(Ord. No. 2016-06, 11-1-2016)

13.60.020 - Uses.

The cemetery shall be used exclusively for the interment of human beings and their remains.

(Ord. No. 2016-06, 11-1-2016)

13.60.030 - Definitions.

For the purpose of these rules and regulations, the following terms and words shall have the following meaning:

"Adult" means persons ten years of age or older.

"Apache County resident" means an Apache County resident and shall be described as a full-time resident or property owner outside the corporate boundary limits of the town of Eagar but within the limits of Apache County.

"Burial plot (plot)" means a single plot within the cemetery designated for the interment of the remains of one deceased person, or four cremains, or one deceased person and four cremains.

"Cemetery" shall mean any cemetery which is owned, managed or maintained by the town of Eagar.

"Child" means persons thirteen months to nine years of age.

"Cremains" means the cremated remains of a human body.

"Disinterment" means the removal of the buried remains of a deceased person from earth burial.

"Eagar resident" means a town of Eagar resident and shall be described as a full-time resident of Eagar and/or a person owning Eagar property.

"Indigent" means a person who dies in the town without resources for burial. The interment of the indigent deceased and the disposal of their property will be in accordance with A.R.S. Title 11, Chapter 3, Article 12, Section 11-600.

"Infant" means persons zero to twelve months of age.

"Interment" means the permanent disposition of the remains of a deceased person by cremation and burial or entombment and burial.

"Lot" shall mean a group of plots within a division designated on the plat as a lot.

"Marker" means a memorial flush with the ground, generally located at the foot of a plot that will have the maximum size of twenty-four inches in width and sixteen inches in depth.

"Memorial" means a designated monument, marker, tablet or headstone for family or individual use.

"Monument" shall include a tombstone or memorial of granite, or other material, which shall extend above the surface of the ground.

"Owner" means the person who is listed in the records kept by the town as owning an interest in a burial plot or lot.

"Ownership" means:

1. For plots owned at a family level, no names are required to be assigned to individual plot(s) but all plots are held in the name of the owner;
2. For individual plot(s) ownership is assigned to a specific name by the owner;
3. Plots assigned a specific name and then sold or given to a different individual may require payment of a transfer of ownership fee.

"Recording fee" means a fee for recording any change in title or ownership in any single plot in the cemetery after initial conveyance of same by the town.

"Reservation" means when a plot has been selected and is either paid for in full or the buyer is actively making payments.

"Reservation fee" means a one-time-only fee, at time of first payment (including when paying in full for plot), for each plot reserved.

"Springerville resident" means a town of Springerville resident and shall be described as a full-time resident of Springerville and/or a person owning Springerville property.

"Transfer of ownership fee" means a fee paid to transfer the ownership of a plot to another person and is only allowed if the plot is paid for in full (excluding family plots that do not have specific names assigned to the plot).

"Unclaimed body" means no person takes charge of the body of the deceased. The interment of the unclaimed deceased and the disposal of their property will be in accordance with A.R.S. Title 11, Chapter 3, Article 12, Section 11-600.

"Vault" means an outer container required for single plots made out of reinforced concrete or poly fiberglass dome and base.

(Ord. No. 2016-06, 11-1-2016)

13.60.040 - Administration and maintenance.

- A. The town clerk's office shall be responsible for the administration and record keeping of the cemetery. The town public works department shall be responsible for the platting, operation and maintenance of the cemetery.
- B. The town shall have the right to change, modify, or re-plat the plot(s) or uses in any part of the cemetery not previously reserved for burial purposes.
- C. Prior to interment, family member or responsible party will be asked to provide basic information to the town on the individual planned to occupy the site—record of burial.
- D. All instructions for burial shall be in writing and on forms provided by the town.
- E. The town of Eagar reserves to the town the perpetual right of entry, use and control of the cemetery land for purposes of maintenance and operation of the cemetery.
- F. All human remains disposed of within the town shall be disposed in the Eagar Cemetery. Remains shall not be disposed on any other public or private property in the town.
- G. The public works director in consultation with the town manager reserves the right to make exceptions, suspensions, or modifications of any of the rules and regulations without notice when, in their judgment, such action appears necessary for the efficient, fair operation of the cemetery. Any such exceptions, suspension, or modification shall in no way be construed as affecting the general application of this chapter and shall not act as a waiver of any of the provisions herein.
- H. Appeals for decisions made by the town clerk's office and/or the public works director relating to the administration and maintenance of the cemetery shall be made first to the cemetery board in writing and then to the town manager in writing, either to uphold the action of the cemetery board or reverse that action or make a decision of his/her own. Then if the decision of the town manager still does not provide redress to a person aggrieved, the appeal will then go to the town council in writing. The council shall, at its next regular meeting after receiving the appeal, hear and determine the same, and the decision of the council shall be final. The council may either affirm or reverse the decision of the clerk/public works director. The council's decision shall be final and shall become effective immediately. Notice of the decision shall be mailed to the applicant at the address shown in the written appeal.

(Ord. No. 2016-06, 11-1-2016)

13.60.050 - Reservations and transfers of ownership of plots.

- A. The town clerk's office will show available plot locations and prepare for plots to be bought or sold, and cemetery reservation agreements to be prepared for selected plot sites. Plot reservation sales or transfers of ownership are not complete or final until the purchaser pays for the plot(s) in full, or applies payment and signs the reservation agreement.
- B. A cemetery certificate of reservation grants right of burial only and does not convey any other title to the plot; no deed to a cemetery plot shall be issued. The reservation agreement or transfer of ownership agreement shall constitute the sole agreements between the town of Eagar and the purchaser.
- C. No interment or placing of a memorial shall be permitted until the reservation sale is completed and the purchase price has been paid in full. No interment of any person, family or heirs shall be allowed without proof of the reservation interest to the town clerk's office.
- D. The town clerk shall keep a record of plots sold, including the name, address and telephone number of the purchaser and the date of execution of any reservation. It shall be the sole responsibility of the reservation agreement holder to keep the town informed of the correct mailing address. Notices or other correspondence mailed to purchasers, their legal representatives or heirs shall be deemed

delivered and received three days after the town's mailing of the notice or correspondence to the address on file with the town clerk's office.

- E. The town of Eagar may repurchase any cemetery plot from the owner for the original price, paid upon written request of the owner or his legal heirs or representative and presentation of the plot reservation or cemetery plot certificate.
- F. The town of Eagar recognizes the original named buyer of the cemetery plot(s) as the owner, and if not assigned or transferred to a specific individual, after their demise the town will recognize ownership as stated in a legal will or trust. In the absence of a legal will or trust, the ownership will be determined in accordance with A.R.S. Title 14, Chapter 2, Article 1, pertaining to intestate succession.
- G. The town of Eagar or its employees assumes no responsibility for actual damages or mental anguish in the performance of its normal operations, or loss by vandalism or other acts beyond its reasonable control.

(Ord. No. 2016-06, 11-1-2016)

13.60.060 - Application and fees.

- A. Applications for the purchase, reservation, or transfer of ownership for a cemetery plot shall be made on forms provided by the town. The appropriate purchase, reservation, recording or transfer of ownership fee shall accompany all applications.
- B. All cemetery fees including cost of plots, reservation fees, transfer of ownership fees, interment fees, recording fees, disinterment fees, and other special fees related to cemetery plots shall be set from time to time by resolution of the town council.
- C. Prepayment of interment will be accepted and honored as paid in full.
- D. There shall be a one time reservation fee per plot. All reservation agreements for a plot shall be paid in full within two years from the execution of the agreement. A minimum monthly payment will be necessary per the fee schedule and any remaining balance at the end of the two years will require an immediate payment of the remaining balance. If payment in full is not made within the two-year time period, any and all funds paid will first be collectively paid on one plot until paid in full and then the next and so on until as many plots that can be paid in full are. Any funds will be forfeited, and plot(s) not paid in full will be eligible for resale by the town.
- E. There shall be a recording fee for recording any change in title or ownership in any plot in the cemetery after initial conveyance of same by the town.
- F. The town may establish a perpetual fund fee for the future care and maintenance of the cemetery and shall be set from time to time by resolution of the town council.
- G. A resident of Eagar and/or a person owning Eagar property can purchase a burial plot at the town of Eagar resident rate. Former residents of Eagar with relatives buried within the town of Eagar Cemetery may purchase burial plots at the Apache County resident rate. Out-of-Apache County resident can purchase burial plots at the Out-of-Apache County rate. A resident of Springerville can purchase a burial plot at the Springerville resident rate.
- H. The price for a lot shall be the aggregate of the price for each burial plot located within such lot.
- I. Town employees are not permitted to do any work for plot owners except at the direction of the public works director and are prohibited from receiving tips or gratuities.
- J. No lot or burial plot shall be sold to or purchased by a funeral director or other person for purposes of resale or speculation.

(Ord. No. 2016-06, 11-1-2016)

13.60.070 - Inter and disinter; cremains.

- A. All interment and disinterment of bodies are subject to the laws of the state of Arizona and this chapter.
- B. Charges for interment and disinterment services provided by the town shall be established by the town council, and shall be payable in advance. The town of Eagar is solely responsible for disinterment. The town shall not assume any liability for any damage to a casket, urn or other such container incurred in making a removal.
- C. Forty-eight-hours' (excluding weekends and holidays) advance notice shall be provided to the town clerk's office for any interment.
- D. Seven-days' advance, written notice shall be provided to the town clerk's office for any disinterment.
- E. No more than one body may be buried in any one single plot except in the case of a mother and an infant or child, or two infants or children interred at the same time. However, with consent of the owner or heirs of the owner of a plot, an exception may be made to permit no more than one regular burial and up to four additional cremains in any one plot or four cremains in one plot.
- F. All casketed interments, excluding infant burials, must include a vault.
- G. In case of an indigent who dies in the town without resources for interment, the town will assign a burial plot.
- H. In the event a deceased, unclaimed body is found, it is the responsibility of Apache County to care for the corpse. The town of Eagar requires all unclaimed bodies which will be buried in the Eagar Cemetery to be cremains only with any financial burden absorbed by Apache County. All rules, regulations, and interment procedures must be abided by Apache County.
- I. In the event that the cremains of an unclaimed body is interred or disinterred in the Eagar Cemetery, excavating fees will be waived by the town of Eagar.
- J. All cremains shall be buried and appropriate arrangements for the burial shall be scheduled with the town clerk's office. Cremains shall not be scattered in the cemetery or buried without the town's written permission.
- K. In the absence of acceptable evidence of ownership, the town reserves the right to refuse to open any burial plot and to refuse to conduct a burial. If, for any reason a plot in a requested location cannot be used, to prevent a delay in interment or funeral services the town clerk's office may provide one in an available location.
- L. The town shall not be liable for any delay in burial where protest by a deceased person's legal representatives or heirs have been made, or where the law, or rules and regulations have not been complied with.
- M. Human remains are the responsibility of the decedent's family, heirs, or executor until buried. During any legal process or protest which delays or prohibits the town from burying any person, the family, heirs, or personal representative shall store the human remains until the legal process or protest is resolved. The town shall be reimbursed for any expenses related to interment or the disinterment of any remains as a result of such protest or legal process.
- N. Caskets containing remains or cremains, once buried, will not be opened or removed except in accordance with state law, and without the written consent of personal representative or other legal representative of the deceased, or an order from a court of competent jurisdiction.
- O. Removal by the heirs of a body so that the burial plot may be sold for profit to themselves or to any other persons, or removal contrary to the expressed or implied wish of the original burial plot owner is absolutely forbidden.
- P. The interment of bodies of persons who have died of a contagious disease shall be in strict accordance with the rules of the Arizona State Board of Health.

- Q. In the event of a disaster which results in numerous burials for the cemetery, the public works crew will work as deemed necessary by the public works director. The public works director shall have the authority to void any and all of these rules and regulations as necessary in order to handle the numerous burials as orderly and as quickly as possible.
- R. No interment or interment service will be allowed on Sundays or on any national holiday without the consent of the town.
- S. No interment shall be conducted after official sunset.

(Ord. No. 2016-06, 11-1-2016)

13.60.080 - Conduct within cemeteries.

- A. Visitors are reminded that cemetery grounds are considered sacred and a strict observance of accepted decorum shall be required at all times.
- B. Visitors will use the walkways and roads provided to access plots.
- C. No person shall dispose of any trash, waste materials, litter, or debris of any kind in the cemetery.
- D. No person shall cut down, injure, break or destroy any tree, shrub or other plant growing in the cemetery or pick, pluck or cut any flower or decorative plant in the cemetery.
- E. No person shall interfere with the conduct of a funeral, graveside service, burial or disinterment of a body at the cemetery.
- F. No person shall desecrate, vandalize, deface, tear down or injure any property, plot, headstone, monument, fence, tree or shrub in the cemetery. Likewise, no person shall disturb, destroy, deface, desecrate, vandalize, tear down or injure any decorations, flowers or other tokens of remembrance placed at any plot or within the cemetery.
- G. No person shall enter into or be upon the cemetery grounds of the town during the time after sunset and before sunrise of any day without first obtaining the written permission of the town.
- H. Sale of any goods or services on cemetery property is strictly prohibited unless the town gives prior, written authorization.
- I. No signs or notices or advertisements of any kind shall be permitted within the cemetery.
- J. Dogs or other animals shall not be allowed in the cemetery grounds.
 - 1. The owner or keeper of any dog or animal that trespasses upon the cemetery grounds shall be liable for any damage done by said dog or animal. The town shall not be liable for any damage done by dogs or other animals and does not assume responsibility for keeping dogs or other animals out of the cemetery grounds.
 - 2. It shall be a defense to this section if such dog is, at all times while in the cemetery, confined inside an enclosed motor vehicle.
 - 3. It shall be a defense to this section if the dog is a trained service animal and is kept entirely under the control of its owner.

(Ord. No. 2016-06, 11-1-2016)

13.60.090 - Memorials and headstones; decoration of plots.

- A. Burial plot owners or heirs may choose to buy a headstone, they will do this at their own cost. All headstones in the cemetery shall have a concrete or granite foundation set at ground level with a minimum four-inch border, which shall be set by an approved monument vendor or a family representative who will be under the direct supervision of town personnel. Family members or

monument vendor must contact the town of Eagar prior to setting a headstone so it can be placed in the correct location. In performing the regular duties of administering and maintaining the cemetery, the town of Eagar will not be held liable for any damage to headstones, bases, or foundations.

- B. Only one headstone will be allowed for each plot, and this shall be placed at the head of the plot. In the event a family monument headstone is placed at the head of a group of plots, an individual marker may be placed at the foot of each plot for individuals buried there. Government markers such as military markers may also be placed at the foot of the plot in addition to the headstone.
- C. All headstones, bases, and foundations shall fit and be placed within the purchased plot boundaries.
- D. The town shall not be responsible for the preservation and care of any headstones, markers or memorials installed in the cemetery.
- E. Since the town does not have a full-time cemetery groundskeeper; daily maintenance of sites is not performed. In order to establish grass on plots and to allow access for the sprinkler system and mowing machines, no rock, gravel, wood, or similar type of ground covering will be allowed. No fences, curbing, borders or barriers are allowed around plots or individual plots, except for those already in existence (grandfathered in as of the date of the approval of this chapter).
- F. If existing fences are not in good and attractive condition, written notice will be given to the plot owner (or their heir) to bring their fence into compliance within thirty days. If after the thirty-day period said fence is not in compliance, the public works department shall remove the fence at the owner's or heir's expense. If the existing fence is removed, a new fence will not be allowed, to comply with current Section 13.60.090E.
- G. The placing of decorations, cut flowers or plastic flowers, or other small tokens of remembrance at individual plots shall be permitted; however, the town shall not be responsible for the care of such decorations, flowers, tokens of remembrance or the containers that they are placed in. The town may remove, without notice, all decorations, flowers, real or artificial, tokens of remembrance, tattered flags, or other things that are deteriorated or broken and articles that blow from plots on an as-needed basis.
- H. The town shall not be held liable for lost, misplaced or broken flower vases or other decorations, or for damage by the elements, thieves, vandals, or by causes beyond its control. The town reserves the right to regulate the method of decorating burial plots and the right to remove any decoration so that a uniform beauty may be maintained.
- I. The placement of permanent decorations or small tokens of remembrance shall only be permitted with the express, written permission of the town.
- J. No person shall plant any tree, shrub or other plant at individual plots except those permitted and approved in writing by the town.
- K. The town will determine the allocation of water at the cemetery to handle drought conditions that can occur in the area. Those who personally maintain plots of loved ones may be asked to not use extra water in addition to the automatic sprinkler system.

(Ord. No. 2016-06, 11-1-2016)

13.60.100 - Use of motorized vehicles in cemeteries.

- A. No person shall drive any motorized vehicle within the cemetery except upon driveways designated for that purpose.
- B. Vehicles shall not be operated in excess of five miles per hour within cemeteries.
- C. Vehicles shall not drive or park off of hard-surfaced roads.

- D. Vehicles shall not be parked or left standing where the vehicle blocks other traffic or prevents other vehicles from using or traveling on the cemetery roads. The town of Eagar reserves the right to have any vehicle violating this section removed at the owner's expense.
- E. Funeral processions entering the cemetery shall be under the direction and control of the town police department. Unless exception is made by the town in writing, a licensed funeral director shall be present at all times and shall conduct services as provided by existing state laws, the Town Code, and applicable rules and regulations.

(Ord. No. 2016-06, 11-1-2016)

13.60.110 - Enforcement and penalties.

- A. The town police department and the code enforcement officer shall, in connection with their duties, enforce the provisions of this chapter.
- B. The town police department and the code enforcement officer shall have the authority to order any person or persons acting in violation of this chapter to leave the cemetery.
- C. Violators of this chapter may be cited using the uniform traffic citation form or any other form approved by the chief of police. The citation shall show the specific section or sections alleged to have been violated, a brief description of the violation, whether the citation is for a civil or criminal offense, and whether the violation is charged as a second, third or greater offense. If there is no designation of a second or greater offense, the citation shall be considered a first offense.
- D. Violations of the following sections of this chapter shall be charged on the first and subsequent offenses as a class 2 misdemeanor:
 - 1. Section 13.60.020.
 - 2. Section 13.60.050C.
 - 3. Sections 13.60.080C, D, E, F, G, H, I and J.
 - 4. Sections 13.60.100A, B, C, and D.
- E. Civil Violations. When a violation of this chapter, except as set forth in Section 13.60.110D, above, is undesignated or designated a first offense by the enforcement officer or the town attorney, a person found to have been in violation of this chapter shall be deemed to have committed a civil offense and shall be subject to a civil penalty of not less than fifty dollars nor more than five hundred dollars, plus restitution for personal injuries, property damage or any other economic loss suffered by any person including the town.
- F. Criminal Violations. When a person convicted of a violation of this chapter is a person who has been previously convicted of a violation of a provision of this chapter within a period of twelve months, the person shall be deemed to have committed a class 2 misdemeanor, pursuant to A.R.S. Title 13, Chapters 6, 7 and 8, as amended, and shall be subject to a fine of not less than seventy-five dollars nor more than seven hundred fifty dollars for each violation or count, plus surcharges, fees and restitution for personal injuries, property damage or any other economic loss suffered by any person including the town.

(Ord. No. 2016-06, 11-1-2016)

**MINUTES
REGULAR MEETING
EAGAR CEMETERY COMMITTEE
Eagar Town Hall
April 13, 2017 – 8:00 a.m.**

ITEM #5: NEW BUSINESS

A. DISCUSSION AND CONSIDERATION OF A CEMETERY BUDGET FOR FISCAL YEAR 2017/2018

The Cemetery Committee decided to budget \$1,500:

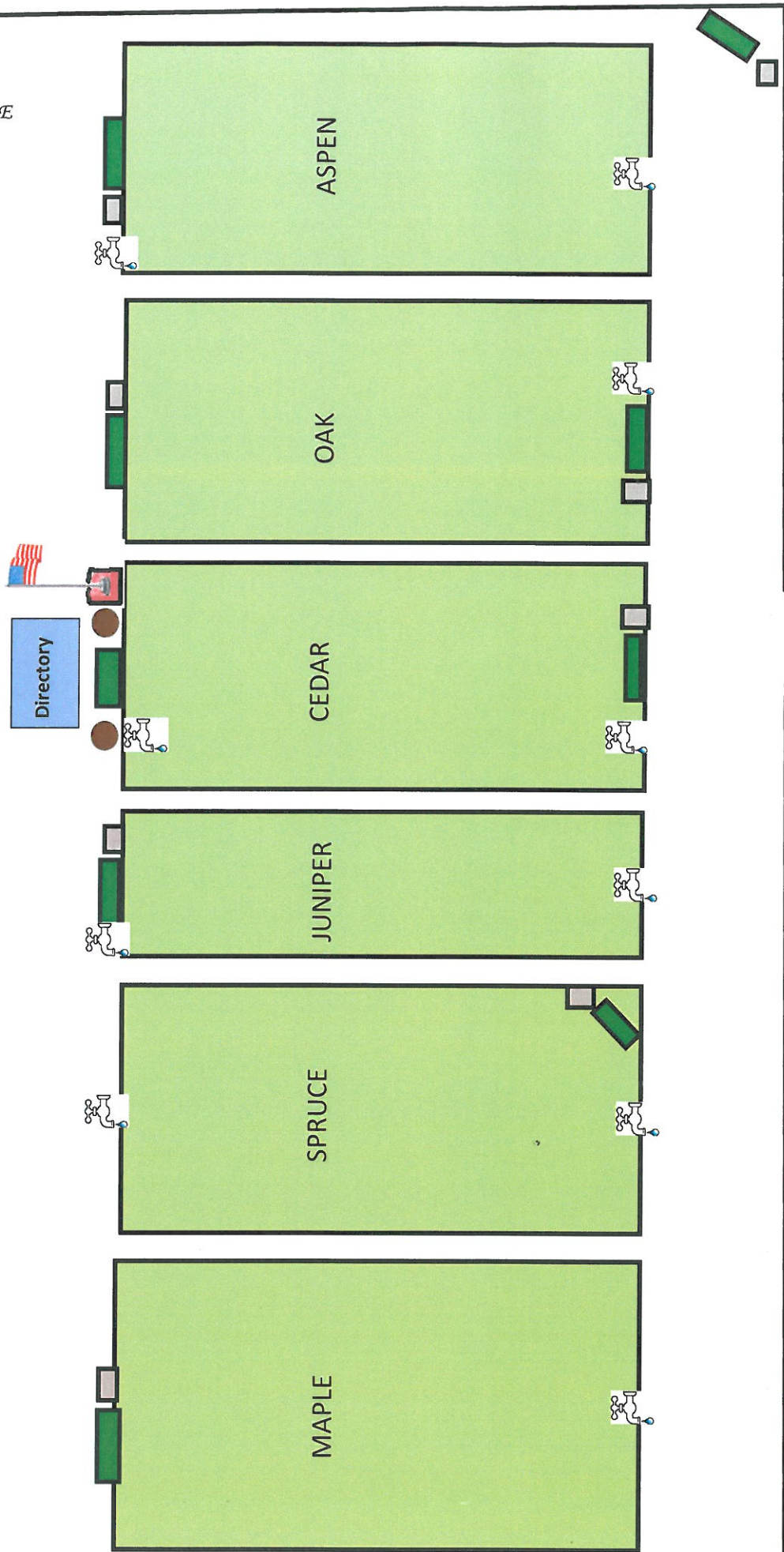
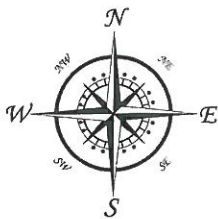
2 benches @ \$320 each

1 spigot @ \$100

Flowers @ \$400

Trees @ \$200 or more

Eagar Cemetery



3rd STREET

- Bench
- Water spigot
- Flower Box
- Flower Barrel

Need 3 benches one at the top of Spruce and bottom of Maple and Juniper.
Have 13 Austrian Pine Trees living and 3 died.